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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/777,194	02/02/2001	Ronald Bruce Martin	14-11	2383
22046	7590	01/12/2005	EXAMINER	
LUCENT TECHNOLOGIES INC. DOCKET ADMINISTRATOR 101 CRAWFORDS CORNER ROAD - ROOM 3J-219 HOLMDEL, NJ 07733			HASHEM, LISA	
			ART UNIT	PAPER NUMBER
			2645	

DATE MAILED: 01/12/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>
	09/777,194	MARTIN ET AL.
	<b>Examiner</b>	<b>Art Unit</b>
	Lisa Hashem	2645

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) Responsive to communication(s) filed on 13 October 2004.
- 2a) This action is FINAL.                    2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) Claim(s) 9,10,12,14-25,27 and 29 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) Claim(s) \_\_\_\_\_ is/are allowed.
- 6) Claim(s) 9,10,12,14-25,27 and 29 is/are rejected.
- 7) Claim(s) \_\_\_\_\_ is/are objected to.
- 8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on \_\_\_\_\_ is/are: a) accepted or b) objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) All
  - b) Some \*
  - c) None of:
    1. Certified copies of the priority documents have been received.
    2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)	4) <input type="checkbox"/> Interview Summary (PTO-413)
2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)	Paper No(s)/Mail Date. _____
3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)	5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)
Paper No(s)/Mail Date _____	6) <input type="checkbox"/> Other: _____

**DETAILED ACTION**

**Reopening of Prosecution**

1. In view of the Appeal Brief filed on October 13, 2004, PROSECUTION IS HEREBY REOPENED. A new ground of rejection is set forth below.
2. To avoid abandonment of the application, appellant must exercise one of the following two options:
  - (1) file a reply under 37 CFR 1.111 (if this Office action is non-final) or a reply under 37 CFR 1.113 (if this Office action is final); or,
  - (2) request reinstatement of the appeal.
3. If reinstatement of the appeal is requested, such request must be accompanied by a supplemental appeal brief, but no new amendments, affidavits (37 CFR 1.130, 1.131 or 1.132) or other evidence are permitted. See 37 CFR 1.193(b)(2).

***Claim Rejections - 35 USC § 112***

4. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.
5. In claim 18, the term "Home Location Register/Visitor Location Register" (HLR/VLR) renders the claim indefinite because it is unclear whether the term means "HLR or VLR" or "HLR and VLR". For this office action, it will be assumed "/" in the term means 'and'. Appropriate action is required.

***Claim Rejections - 35 USC § 103***

6. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

7. Claims 9, 10, and 12 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent No. 5,933,778 by Buhrmann et al, hereinafter Buhrmann, in further view of U.S. Patent No. 5,987,100 by Fortman et al, hereinafter Fortman.

Regarding claim 9, Buhrmann discloses a method for automatically directing a calling communication unit to a voice mailbox of a wireless phone (column 8, lines 20-25), the method comprising: registering the wireless phone for direct voice mail service or a telecommunications service (column 1, lines 20-30; column 2, lines 32-43), the direct voice mail service allowing calls to go directly to the voice mailbox associated with the wireless phone (column 1, lines 31-48; column 3, line 65 – column 4, line 14); receiving a call request for the wireless phone from a calling communication unit; and directing the calling communication unit to the voice mailbox associated with the wireless phone without attempting to communicate with the wireless phone (see Figure 7; column 10, line 50 – column 11, line 25).

Buhrmann does not disclose a multimedia mailbox of the wireless phone and registering the wireless phone for direct multimedia service.

Fortman discloses a method for directing a calling communication unit to a multimedia mailbox of a subscriber or wireless phone's user (column 3, lines 50-64; column 6, line 57 – column 7, line 19; column 4, line 16 – column 5, line 7), the method comprising: registering the

Art Unit: 2645

subscriber for multimedia service (column 3, lines 38-49), the multimedia service allowing calls to go to the multimedia mailbox associated with the subscriber; and directing the calling communication unit to the multimedia mailbox associated with a subscriber of the multimedia mailbox (column 6, line 57 – column 7, line 19).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the method of Buhrmann to include a multimedia mailbox and direct multimedia service as taught by Fortman. One of ordinary skill in the art would have been lead to make such a modification since telecommunications services may include multimedia services, wherein a multimedia mailbox is capable of storing multiple types of messages including: voice mail messages, e-mail messages, and fax mail messages. Wherein, the calling communication unit can be directed to the multimedia mailbox associated with the wireless phone without attempting to communicate with the wireless phone. The wireless phone's user is able to retrieve a variety of messages, in addition to voice mail messages, from the multimedia mailbox.

Regarding claim 10, a method for automatically directing a calling communication unit to a multimedia mailbox of a wireless phone in accordance with claim 9, wherein Buhrmann in view of Fortman further discloses the method further comprising the step of determining whether the wireless phone has subscribed to direct multimedia mail service (Buhrmann: column 10, line 56 – column 11, line 5).

Regarding claim 12 method for automatically directing a calling communication unit to a multimedia mailbox of a wireless phone in accordance with claim 10, wherein Buhrmann in view of Fortman further discloses the method further comprising the step of sending the call

Art Unit: 2645

request to the wireless phone if the wireless phone has disabled the direct multimedia mail service (Buhrmann: column 10, line 56 – column 11, line 5).

8. Claims 14, 15, 16, 17, and 19 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent No. 6,393,274 by Peltonen, hereinafter Peltonen, in further view of U.S. Patent No. 5,987,100 by Fortman.

Regarding claim 14, Peltonen discloses a communication system for providing automatic direction of calling communication units to a voice mailbox of a wireless phone (column 4, lines 48-53), the communication system comprising: a call processing control entity for registering the wireless phone for direct voice mail service or advanced personal service (APS request), the direct voice mail service allowing calls to go directly to the voice mailbox associated with the wireless phone (see Figure 2; column 2, lines 13-19 and lines 27-31; column 4, lines 13-30); a subscriber database (Figure 9, 33) coupled to the call processing control entity for storing the registration for direct voice mail service of the wireless phone (column 4, lines 53-60); a voice mail system (Figure 9, 32A) coupled to the call processing control entity; and a base station (Figure 2, 30) coupled to the call processing control entity for receiving a direct voice mail request for the wireless phone (column 2, lines 49-54; column 3, lines 20-25), the direct voice mail request being a request to go directly to the voice mailbox of the wireless phone without attempting to communicate with the wireless phone (column 3, lines 16-28; see Figure 5; column 5, lines 57-64). (Wherein Peltonen further discloses the foregoing invention has the applicability to be applied to networks offering video call capabilities (column 13, lines 6-18)).

Peltonen does not disclose a multimedia mailbox of the wireless phone and registering the wireless phone for direct multimedia service.

Art Unit: 2645

Fortman discloses a method for directing a calling communication unit to a multimedia mailbox of a subscriber or wireless phone's user (column 3, lines 50-64; column 6, line 57 – column 7, line 19; column 4, line 16 – column 5, line 7), the method comprising: registering the subscriber for multimedia service (column 3, lines 38-49), the multimedia service allowing calls to go to the multimedia mailbox associated with the subscriber; and directing a message request for the wireless phone (see Figure 7; column 6, line 57 – column 7, line 19).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the communication system of Peltonen to include a multimedia mailbox and direct multimedia service as taught by Fortman. One of ordinary skill in the art would have been lead to make such a modification since advanced personal services may include multimedia services, wherein a multimedia mailbox is capable of storing multiple types of messages including: voice mail messages, e-mail messages, and fax mail messages. Wherein, a direct multimedia mail request can be directed to the multimedia mailbox associated with the wireless phone without attempting to communicate with the wireless phone. The wireless phone's user is able to retrieve a variety of messages, in addition to voice mail messages, from the multimedia mailbox.

Regarding claim 15, a communication system for providing automatic direction of calling communication units to a multimedia mailbox of a wireless phone in accordance with claim 14, wherein Peltonen in view of Fortman further discloses the base station directs the direct multimedia mail request to the call processing control entity (Peltonen: column 3, lines 20-25), wherein the direct multimedia mail request comes from a calling party, and wherein the calling

Art Unit: 2645

party is directed to the multimedia mailbox of the wireless phone without attempting to communicate with the wireless phone (Peltonen: see Figure 5).

Regarding claim 16, a communication system for providing automatic direction of calling communication units to a multimedia mailbox of a wireless phone in accordance with claim 14, wherein Peltonen in view of Fortman further discloses the call processing control entity is a Mobile Switching Center (MSC) (Figure 2, 34), wherein an MSC inherently provides all the functionality needed to handle a mobile subscriber, such as registration (Peltonen: column 3, lines 22-25).

Regarding claim 17, a communication system for providing automatic direction of calling communication units to a multimedia mailbox of a wireless phone in accordance with claim 16, wherein Peltonen in view of Fortman further discloses the MSC inherently includes a Service Circuit (SVC) (Peltonen: column 5, lines 36-41 and lines 57-61).

Regarding claim 19, a communication system for providing automatic direction of calling communication units to a multimedia mailbox of a wireless phone in accordance with claim 14, wherein Peltonen in view of Fortman further discloses the communication system further comprising a Public Switched Telephone Network (PSTN) coupled to the call processing control entity for providing communication with landline users (Peltonen: see Figure 2; column 3, lines 16-28).

9. Claim 18 is rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent No. 6,393,274 by Peltonen, in further view of U.S. Patent No. 5,987,100 by Fortman, as applied to claim 14 above, and in further view of U.S. Patent No. 6,594,498 by McKenna et al, hereinafter McKenna.

Regarding claim 18, a communication system for providing automatic direction of calling communication units to a multimedia mailbox of a wireless phone in accordance with claim 14, wherein Peltonen in view of Fortman further discloses the subscriber database (Peltonen: Figure 9, 33). (Wherein Peltonen further discloses the communication system may be a GSM system for mobile communications (Peltonen: column 3, lines 42-52)).

Peltonen in view of Fortman do not disclose the subscriber database is a Home Location Register/Visitor Location Register (HLR/VLR).

McKenna discloses a cellular communications network that provides subscribers with access to a plurality of broadcast and narrowcast based services, including the transmission of multimedia messages (see Abstract; column 1, line 65 – column 2, line 31); wherein, a mobile telephone switching office in conjunction with the HLR and VLR manages subscriber registration, subscriber authentication, and the provision of wireless services such as voice mail, call forwarding, and roaming validation (column 4, lines 18-24; column 15, lines 20-39).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the communication system of Peltonen in view of Fortman to include the subscriber database is a HLR/VLR as taught by McKenna. One of ordinary skill in the art would have been lead to make such a modification since the HLR/VLR is coupled to the call processing control entity or MSC for storing the registration for multimedia service of the wireless phone.

10. Claims 20-22 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent No. 6,393,274 by Peltonen, in further view of U.S. Patent No. 5,987,100 by Fortman, as applied to claim 14 above, and in further view of U.S. Patent No. 6,763,233 by Bharatia.

Regarding claims 20-22, a communication system for providing automatic direction of calling communication units to a multimedia mailbox of a wireless phone in accordance with claim 14, wherein Peltonen in view of Fortman further discloses the call processing control entity is a MSC. (Wherein Peltonen further discloses the communication system may be a wideband CDMA (WCDMA) system (Peltonen: column 3, lines 37-42)).

Peltonen in view of Fortman do not disclose the call processing control entity is a Call Session Control Function (CSCF) and a Multimedia Resource Function (MRF).

Bharatia discloses a method for supporting operation of a mobile terminal having a subscription in a Third Generation or 3G wireless network within a Second Generation or 2G wireless network. When the 3G mobile terminal roams into the service area of the legacy network, the mobile terminal sends an attach request to a support node of the legacy wireless network. The legacy wireless network then authenticates the mobile terminal (see Abstract).

Bharatia further discloses a call processing control entity or CSCF that acts as a first entry point to the system and performs routing of incoming calls, call screening, call forwarding, and interacts with other system components to perform query address handling operations (column 6, lines 56-67). The CSCF includes a MRF in order to support multiparty and other services (column 7, lines 1-4). The MRF determines the intention of a calling party and sends a message to the CSCF, the message instructing the CSCF to perform specified functionality based upon the intention of the calling party (column 8, lines 1-9).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the communication system of Peltonen in view of Fortman to include: (a) the call processing control entity is a Call Session Control Function (CSCF), (b) the CSCF

Art Unit: 2645

includes a Multimedia Resource Function (MRF), and (c) the MRF determines the intention of a calling party and sends a message to the CSCF, the message instructing the CSCF to perform specified functionality based upon the intention of the calling party as taught by Bharatia to describe a 3G wireless system in accordance with the invention. One of ordinary skill in the art would have been lead to make such a modification since a 3G wireless system comprising the components mentioned above, can be utilized in a communication system for providing automatic direction of calling communication units to a multimedia mailbox of a wireless phone without attempting to communicate with the wireless phone.

11. Claim 23 is rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent No. 6,393,274 by Peltonen, in further view of U.S. Patent No. 5,987,100 by Fortman, as applied to claim 14 above, and in further view of U.S. Patent Application Publication No. US 2004/0019912 by Staack.

Regarding claim 23, a communication system for providing automatic direction of calling communication units to a multimedia mailbox of a wireless phone in accordance with claim 14, wherein Peltonen in view of Fortman further discloses the subscriber database (Peltonen: Figure 9, 33). (Wherein Peltonen further discloses the communication system may be a wideband CDMA (WCDMA) system (Peltonen: column 3, lines 37-42)).

Peltonen in view of Fortman do not disclose the subscriber database is a Home Subscriber Server (HSS).

Staack discloses a method for controlling a network, by which a user is provided with information regarding presence etc. of other users in a network system (see Abstract; section 0002, lines 1-6; section 0021, lines 1-5); wherein, session handling information comprises

Art Unit: 2645

information regarding forwarding of a call (wherein the term ‘session’ is referred to a call or a multimedia message and the calling communication unit can be directed automatically to a voice mailbox of a wireless phone) (section 0032, line 1 – section 0036, line 7; section 0042, line 1 – section 0043, line 7). Wherein, a HSS can be accessed to obtain presence and session handling information or registration information for the wireless phone’s user (section 0022, line 1 – section 0024, line 5; section 0047, line 1 – section 0050, line 5).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the communication system of Peltonen in view of Fortman to include the subscriber database is a HSS as taught by Staack. One of ordinary skill in the art would have been lead to make such a modification since the HSS is for storing the registration for multimedia service of the wireless phone’s user.

12. Claim 24, 25, and 27 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent No. 6,393,274 by Peltonen, in further view of U.S. Patent No. 5,987,100 by Fortman.

Regarding claim 24, Peltonen discloses a call processing control entity for providing automatic direction of calling communication units to a voice mailbox of a wireless phone without attempting to communicate with the wireless phone (see Figure 2, 32; column 3, lines 16-28; column 4, lines 48-53), the call processing control entity comprising: a processor (inherent in the network (Figure 2, 32)) for registering a wireless phone for direct voice mail service or advanced personal service (APS request), the direct voice mail service allowing calls to go directly to the voice mailbox associated with the wireless phone (see Figure 2; column 2, lines 13-19 and lines 27-31; column 4, lines 13-30); an input port for receiving a direct voice mail request for the wireless phone from one of the calling communication units, the direct voice

Art Unit: 2645

mail request being a request to go directly to the voice mailbox of the wireless phone without first attempting to communicate with the wireless phone; and an output port for directing the one of the calling communication units request to the voice mailbox of the wireless unit without attempting to communicate with the wireless phone (see Figure 5; column 5, lines 57-64).

(Wherein Peltonen further discloses the foregoing invention has the applicability to be applied to networks offering video call capabilities (column 13, lines 6-18)).

Peltonen does not disclose a multimedia mailbox of the wireless phone and registering the wireless phone for direct multimedia service.

Fortman discloses a method for directing a calling communication unit to a multimedia mailbox of a subscriber or wireless phone's user (column 3, lines 50-64; column 6, line 57 – column 7, line 19; column 4, line 16 – column 5, line 7), the method comprising: registering the subscriber for multimedia service (column 3, lines 38-49), the multimedia service allowing calls to go to the multimedia mailbox associated with the subscriber; and directing a message request for the wireless phone (see Figure 7; column 6, line 57 – column 7, line 19).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the call processing control entity of Peltonen to comprise a multimedia mailbox and direct multimedia service as taught by Fortman. One of ordinary skill in the art would have been lead to make such a modification since advanced personal services may include multimedia services, wherein a multimedia mailbox is capable of storing multiple types of messages including: voice mail messages, e-mail messages, and fax mail messages. Wherein, a direct multimedia mail request can be directed to the multimedia mailbox associated with the wireless phone without attempting to communicate with the wireless phone. The wireless

phone's user is able to retrieve a variety of messages, in addition to voice mail messages, from the multimedia mailbox.

Regarding claim 25, a call processing control entity in accordance with claim 24, wherein Peltonen in view of Fortman further discloses the processor determines whether the wireless phone has subscribed to direct multimedia mail service (Peltonen: see Figure 2; column 2, lines 13-19 and lines 27-31) (wherein an MSC inherently provides all the functionality needed to handle a mobile subscriber, such as registration (Peltonen: column 3, lines 22-25)).

Regarding claim 27, a call processing control entity in accordance with claim 25, wherein Peltonen in view of Fortman further discloses the processor sends the direct multimedia mail request to the wireless phone if the wireless phone has disabled the direct multimedia mail service (Peltonen: Figure 4; column 5, lines 52-56).

13. Claim 29 is rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent No. 6,393,274 by Peltonen, in further view of U.S. Patent No. 5,987,100 by Fortman.

Regarding claim 29, Peltonen discloses a method for connecting a calling communication unit with a voice mailbox associated with a wireless phone (see Figure 9), the method comprising: receiving a call request or advanced personal service (APS request) at a call processing control entity (Figure 9, 32) from the calling communication unit (Figure 9, 10), the call request being a request for direct access to the voice mailbox associated with the wireless phone; and routing the calling communication unit to the voice mailbox without attempting to communicate with the wireless phone (column 4, lines 48-53).

Peltonen does not disclose a multimedia mailbox of the wireless phone and registering the wireless phone for direct multimedia service.

Art Unit: 2645

Fortman discloses a method for directing a calling communication unit to a multimedia mailbox of a subscriber or wireless phone's user (column 3, lines 50-64; column 6, line 57 – column 7, line 19; column 4, line 16 – column 5, line 7), the method comprising: registering the subscriber for multimedia service (column 3, lines 38-49), the multimedia service allowing calls to go to the multimedia mailbox associated with the subscriber; and directing a message request for the wireless phone (see Figure 7; column 6, line 57 – column 7, line 19).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the method of Peltonen to include a multimedia mailbox and direct multimedia service as taught by Fortman. One of ordinary skill in the art would have been lead to make such a modification since advanced personal services may include multimedia services, wherein a multimedia mailbox is capable of storing multiple types of messages including: voice mail messages, e-mail messages, and fax mail messages. Wherein, a request can be directed to the multimedia mailbox associated with the wireless phone without attempting to communicate with the wireless phone. The wireless phone's user is able to retrieve a variety of messages, in addition to voice mail messages, from the multimedia mailbox.

*Conclusion*

14. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure:

- U.S. Patent No. 6,141,556 by Dougherty et al disclose a user may manually enable or disable incoming calls to go directly to voice mail

15. Accordingly, this action is **NON-FINAL**.

16. Any response to this action should be mailed to:

Commissioner of Patents and Trademarks  
Washington, D.C. 20231

**Or faxed to:**

(703) 872-9314 (for formal communications intended for entry)

**Or call:**

(703) 306-0377 (for customer service assistance)

Hand-delivered responses should be brought to: Crystal Park II, 2121 Crystal Drive, Arlington, VA, Sixth Floor (Receptionist).

17. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Lisa Hashem whose telephone number is (703) 305-4302. The examiner can normally be reached on M-F 8:30-5:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Fan Tsang can be reached on (703) 305-4895. Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (703) 305-3900.

LH  
lh  
January 5, 2005

  
FAN TSANG  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 2600